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10 UNITED STATES DISTRICT COURT
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12 NORTHERN DISTRICT OF CALIFORNIA

13 DFINITY USA RESEARCH, LLC, a limited
14 liability company,

15 Plaintiff,

16 ERIC BRAVICK, an individual and DOES 1
through 100, inclusive,

17 Defendant.

18 Case No. 5:22-cv-03732-NC

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20 **[PROPOSED] ORDER GRANTING
DEFENDANT ERIC BRAVICK'S
MOTION TO DISMISS**

21 Date: August 10, 2022

22 Time: 1:00 p.m.

23 Ctrm: Courtroom 5

24 Judge: Hon. Nathanael Cousins

25 [Fed. R. Civ. P. 12(b)(6)]

26 Complaint filed: May 11, 2022

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28 The motion of Eric Bravick ("Defendant" or "Bravick") for an order dismissing the Third
(Civil Penalties Under California Penal Code 496(c) and Fifth (Unjust Enrichment/Constructive
Trust) Causes of Action in the Complaint of Dfinity USA Research, LLC ("Plaintiff" or
"Dfinity"), filed May 11, 2022 (the "Complaint"), under Federal Rule of Civil Procedure
12(b)(6), came on for hearing on August 10, 2022. Counsel appeared as stated on the record.
Having read and considered the papers filed in connection with these matters, all pleadings on file
in this matter, and arguments of counsel, the Court hereby GRANTS the Motion to Dismiss.

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The third and fifth causes of action are dismissed without leave to amend.

IT IS SO ORDERED.

Dated: , 2022

The Honorable Nathanael Cousins
United States Magistrate Judge